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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/771,412	02/05/2004	Kazuma Aoki	118332	3848

25944 7590 03/31/2010

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EXAMINER	
NAJEE-ULLAH, TARIQ S	

ART UNIT	PAPER NUMBER
2453	

NOTIFICATION DATE	DELIVERY MODE
03/31/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/771,412	AOKI ET AL.	
	Examiner	Art Unit	
	TARIQ S. NAJEE-ULLAH	2453	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 January 2010*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17 and 26-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17 and 26-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 25, 2010 has been entered.

Response to Amendment

2. This Office action has been issued in response to Applicant's Amendment filed January 25, 2010. By action of this amendment claims 1-2, 4-13, 15, 17, 26, 29 and 32are amended. Claims 1-17 and 26-33 are pending in this application.

Response to Arguments

3. The rejection of claims 1-3, 10-13, 15, 17, 26 and 29-33 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement are withdrawn in light of this amendment.

4. The rejection of claims 1, 17 and 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention are withdrawn in light of this amendment.

5. The specification objection as failing to provide proper antecedent basis for the claimed subject matter under 37 CFR 1.75(d)(1) and MPEP § 608.01(o) is withdrawn in light of this amendment.

6. Applicant's arguments with respect to the rejection of claims 1-17 and 26-33 under 35 U.S.C. 103(a) have been considered but are moot in view of the new ground(s) of rejection.

7. Applicant's arguments filed on January 25, 2010 state that Supervisory Examiner Thomas and Examiner Najee-ullah made an agreement with the Applicant during a personal interview January 5, 2010 (page 15, Applicant's submission filed on January 25, 2010). Examiner respectfully disagrees. No agreement was made as indicated by the interview summary of record mailed by the Office January 12, 2010. Applicant's arguments filed on January 25, 2010 further argue that "The Office Action concedes that Tanimoto fails to disclose, in part, the claimed operation detecting unit (Office Action, page 6)." Examiner respectfully disagrees as no such statement appears on page 6 of the Office Action mailed October 27, 2009. This statement does not present the complete response to the argument restated here as it appears on page 6 of the Office Action mailed October 27, 2009:

> "Applicant further argues that Tanimoto-Shigeru fails to teach "the portable operation member is already inserted into the opening of the interface unit". Examiner respectfully disagrees. Shigeru clearly teaches "the portable operation member is already inserted into the opening of the interface unit" (Shigeru, detailed description, par. 47-48 "...in step S3, if touched in part for the "IC card

603"...it will progress to step S7...At step S7, the information currently recorded on the IC card is read," i.e. the functions and steps are performed only after IC card is **already** inserted in the card reader. This step is inherent as no "information currently recorded on the IC card" can be read without the IC card being inserted into an IC card reader)."

Claim Rejections - 35 USC § 101

8. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

9. Claims 26 and 32 are rejected under 35 U.S.C. 101 for being non-statutory. The claimed "computer-readable storage medium" is understood by one of ordinary skill in the art to include transitory signals, carrier waves, and other media considered to be non-statutory by the Office. Examiner suggests amending the claim to read "non-transitory computer-readable storage medium" to overcome this rejection.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11. Claims 1-17 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication 2002/0156923 to Tanimoto in view

of Japanese Patent Application JP A 2002-091856 to Shigeru (Shigeru hereinafter) as provided in Applicant IDS submitted July 27, 2007 and further in view of US 5,597,307 to Redford et al (Redford hereinafter).

Regarding claims 1, 17 and 29, Tanimoto teaches **a communication system** (Figure 1 and associated text; Tanimoto discloses a facsimile system, i.e. communication system.)**, comprising: a communication device including: an accessing unit capable of accessing web pages** (Page 3, paragraph [0052]; Tanimoto discloses the facsimile machine, i.e. communication device, has an HTTP server means, i.e. accessing system, which can access data written in HTML (Hyper Text Markup Language) used for home pages, i.e. capable of accessing web pages.)**;**

Tanimoto does not explicitly teach **an interface unit, the interface unit having an opening, a first circuit and a second circuit; and a data acquiring unit that acquires data via the interface unit; a portable operation member removably insertable into the opening of the interface unit, the operation member including a memory that stores first access data corresponding to a first predetermined web page; and an operation detecting unit configured to detect that the portable operation member is inserted into the opening of the interface unit when the first circuit activates and that the portable operation member is mechanically operated by a user when the second circuit activates; the data acquiring unit automatically acquiring the first access data from the memory when the operation detecting unit detects that the second circuit activates and the accessing unit automatically**

accessing the first predetermined web page based on the first access data acquired by the acquiring unit.

Shigeru teaches **an interface unit, the interface unit having an opening, a first circuit and a second circuit** (Shigeru; Abstract; IC card reader mounted on the image forming device, i.e. communication device connected to a touch panel keyboard, i.e. interface unit, provides a network access function)**; and a data acquiring unit that acquires data via the interface unit;** (Shigeru; Abstract; IC card reader mounted on the image forming device, i.e. data acquiring unit)**; a portable operation member removably insertable into the opening of the interface unit, the operation member including a memory** (Shigeru; Abstract; IC card or memory card is a small storage medium with memory, i.e. removably insertable portable operation member, that is read by an IC card reader, i.e. interface unit containing an opening for the IC card, mounted on the image forming device) **that stores first access data corresponding to a first predetermined web page** (Shigeru; Abstract; IC card or memory card is a small storage medium with memory, i.e. storage, that contains the URL address of a website, i.e. a first predetermined web page)**; and an operation detecting unit configured to detect that the portable operation member is inserted into the opening of the interface unit when the first circuit activates and that the portable operation member is mechanically operated by a user when the second circuit activates** (Shigeru; Abstract; IC card reader, i.e. operation detecting unit, mounted on the image forming device connected to a touch panel keyboard provides a network access function; Shigeru clearly teaches an IC card or memory card, i.e. removably insertable

portable operation member, is a small storage medium with memory that contains the URL address of a website that is inserted into an IC card reader, i.e. detecting unit, mounted on the image forming device, i.e. communication device connected to a touch panel keyboard, i.e. detecting unit that is directly operated by a user, provides a network access function, i.e. the function of a switch (Shigeru, Abstract). The fact that an IC card is inserted into the IC card reader by a user is inherent. The use of a touch panel keyboard to obtain further user input also reads on direct operation by a user (Shigeru, Detailed Description, par. 59-60).); **the data acquiring unit automatically acquiring the first access data from the memory and the accessing unit automatically accessing the first predetermined web page based on the first access data acquired by the acquiring unit** (Shigeru; Abstract; IC card reader mounted on the image forming device connected to a touch panel keyboard provides a network access function. This allows the desired data to be read and obtained from anywhere with simple operation by utilizing the IC card). Shigeru also teaches this method being implemented using computer program code (Shigeru; Detailed Description: embodiment of the invention section, pars. 61-63)

Tanimoto and Shigeru are analogous art because they are from the same field of endeavor of network communication. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Shigeru's IC card or small storage medium with preloaded website information with Tanimoto's server device and network system. The suggestion/motivation would have been to provide an image forming

device and an image forming method by which image data obtained through a network can be easily printed (Shigeru; Abstract, problem to be solved).

Furthermore, to provide the server device and communication system of Tanimoto with an IC card or small storage medium with preloaded website information would have been obvious to one of ordinary skill in the art, in view of the teachings of Shigeru, since all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded nothing more than predictable results to one of ordinary skill in the art at the time of the invention.

While Tanimoto-Shigeru clearly and explicitly teaches the claimed operation of a portable operation member, i.e. IC card having website information preloaded, accessing the data via an interface unit, and acquiring the data from memory (Shigeru, detailed description, par. 47-48 "...in step S3, if touched in part for the "IC card 603"...it will progress to step S7...At step S7, the information currently recorded on the IC card is read," i.e. the functions and steps are performed only after IC card is **already** inserted in the card reader. This step is inherent as no "information currently recorded on the IC card" can be read without the IC card being inserted into an IC card reader), Tanimoto-Shigeru does not explicitly teach this happening automatically without an additional step, i.e. depressing buttons on a touch panel, the moment the second circuit activates, i.e. when the portable operation member is depressed. Redford teaches automatically starting a process **when the operation detecting unit detects that the second circuit**

activates, i.e. when a storage media or memory card is inserted (Redford, col. 3, lines 21-28).

Tanimoto-Shigeru and Redford are analogous art because they are from the same field of endeavor of automation of electronic functions related to removably insertable media. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Redford's method for starting up a process automatically on insertion of a storage media into a host device with the combination of Tanimoto-Shigeru. The suggestion/motivation would have been to simplify the steps in a manual process performed on a host device such that a two year old child could perform the task easily (Redford, col. 2, lines 7-29).

Regarding claim 26, Tanimoto teaches **a computer-readable storage medium storing a computer-executable program for allowing a communication system to access a predetermined web page, the program comprising** (Figure 1 and associated text; Tanimoto discloses a facsimile system, i.e. communication system.)**: instructions for causing the accessing system to access the predetermined web page based on the access data transmitted from the memory of the portable operation member** (Page 3, paragraph [0052]; Tanimoto discloses the facsimile machine, i.e. communication device, has an HTTP server means, i.e. accessing system, which can access data written in HTML (Hyper Text Markup Language) used for home pages, i.e. capable of accessing web pages.)**;** Tanimoto does not explicitly teach **instructions for controlling a detecting unit to detect an insertion of a portable**

operation member into an opening of an interface unit of the communication system and a mechanical operation of the portable operation member after insertion into the opening of the interface unit; instructions for transmitting access data contained in a memory of the portable operation member to an accessing system of the communication system upon detection of the mechanical operation of the portable operation member.

Shigeru teaches **instructions for controlling a detecting unit to detect an insertion of a portable operation member into an opening of an interface unit of the communication system and a mechanical operation of the portable operation member after insertion into the opening of the interface unit** (Shigeru; Abstract; IC card reader mounted on the image forming device, i.e. communication device connected, i.e. detecting unit, to a touch panel keyboard, i.e. interface unit, provides a network access function; the IC card or memory card, i.e. portable operation member, is a small storage medium with memory that is read by an IC card reader, i.e. interface unit, mounted on the image forming device, i.e. communication system)**; instructions for transmitting access data contained in a memory of the portable operation member to an accessing system of the communication system upon detection of the mechanical operation of the portable operation member** (Shigeru; Abstract; IC card reader, i.e. detecting unit, mounted on the image forming device connected to a touch panel keyboard provides a network access function. This allows the desired data to be read and obtained from anywhere with simple operation by utilizing the IC card, i.e. operating member). Shigeru also teaches this method being implemented using

computer program code (Shigeru; Detailed Description: embodiment of the invention section, pars. 61-63).

Tanimoto and Shigeru are analogous art because they are from the same field of endeavor of network communication. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Shigeru's IC card or small storage medium with preloaded website information with Tanimoto's server device and network system. The suggestion/motivation would have been to provide an image forming device and an image forming method by which image data obtained through a network can be easily printed (Shigeru; Abstract, problem to be solved). Furthermore, to provide the server device and communication system of Tanimoto with an IC card or small storage medium with preloaded website information would have been obvious to one of ordinary skill in the art, in view of the teachings of Shigeru, since all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded nothing more than predictable results to one of ordinary skill in the art at the time of the invention.

While Tanimoto-Shigeru clearly and explicitly teaches the claimed operation of a portable operation member, i.e. IC card having website information preloaded, accessing the data via an interface unit, and acquiring the data from memory (Shigeru, detailed description, par. 47-48 "...in step S3, if touched in part for the "IC card 603"...it will progress to step S7...At step S7, the information currently recorded on the IC card is read," i.e. the functions and steps are performed only after IC card is **already** inserted in

the card reader. This step is inherent as no "information currently recorded on the IC card" can be read without the IC card being inserted into an IC card reader), Tanimoto-Shigeru does not explicitly teach this happening automatically without an additional step, i.e. depressing buttons on a touch panel, the moment the second circuit activates, i.e. when the portable operation member is depressed. Redford teaches automatically starting a process **upon detection of the mechanical operation of the portable operation member**, i.e. when a storage media or memory card is inserted (Redford, col. 3, lines 21-28).

Tanimoto-Shigeru and Redford are analogous art because they are from the same field of endeavor of automation of electronic functions related to removably insertable media. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Redford's method for starting up a process automatically on insertion of a storage media into a host device with the combination of Tanimoto-Shigeru. The suggestion/motivation would have been to simplify the steps in a manual process performed on a host device such that a two year old child could perform the task easily (Redford, col. 2, lines 7-29).

Regarding claims 2 and 12, Tanimoto-Shigeru-Redford discloses the invention substantially as described in claim 1 above including, **a transmitting system that transmits the first access data contained in the memory to the accessing system when the operation detecting unit detects that the portable operation unit is mechanically operated by the user; and wherein the transmitting system is**

included in the portable operation member (Shigeru; Abstract; IC card or memory card, i.e. portable operation member, is a small storage medium with memory that is read by an IC card reader mounted on the image forming device)**; the transmitting system determines whether a predetermined condition is satisfied when the operation detecting unit** (Shigeru; Abstract; IC card reader mounted on the image forming device connected to a touch panel keyboard provides a network access function. This allows the desired data to be read and obtained from anywhere with simple operation by utilizing the IC card. Printing information is stored in a predetermined format) **detects that the portable operation member is mechanically operated by the user** (Redford, col. 3, lines 21-28)**; and the transmitting system transmits the first access data the memory to the accessing system when the predetermined condition is satisfied** (Shigeru; Abstract; IC card reader mounted on the image forming device connected to a touch panel keyboard provides a network access function. This allows the desired data to be read and obtained from anywhere with simple operation by utilizing the IC card)**.** Tanimoto and Shigeru are analogous art because they are from the same field of endeavor of network communication. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Shigeru's IC card or small storage medium with preloaded website information with Tanimoto's server device and network system. The suggestion/motivation would have been to provide an image forming device and an image forming method by which image data obtained through a network can be easily printed (Shigeru; Abstract, problem to be solved).

Regarding claims 3 and 15, Tanimoto-Shigeru-Redford discloses the invention substantially as described in claims 1 and 13 including, **wherein: the portable operation member includes:** (Shigeru; Abstract; IC card or memory card is a small storage medium with memory that is read by an IC card reader mounted on the image forming device); Shigeru does not teach **and a counting system that counts the number of times by which the first access data is transmitted from the memory to the accessing system, and wherein the transmitting system determines that the predetermined condition is satisfied if the number of times counted by the counting system is less than a predetermined number the transmitting system determining the predetermined condition is not satisfied if the number of times counted by the counting system has reached the predetermined number.**

Tanimoto teaches **and a counting system that counts the number of times by which the first access data is transmitted from the memory to the accessing system, and wherein the transmitting system determines that the predetermined condition is satisfied if the number of times counted by the counting system is less than a predetermined number the transmitting system determining the predetermined condition is not satisfied if the number of times counted by the counting system has reached the predetermined number** (Fig. 15A and 15B; Tanimoto discloses views showing an example of the display of the browser at the time of thread displaying of the saved image data. The display indicates the number of transmitted pages, the date and time of the transmission, the job order, and the destinations of the transmission. The display also indicated what operation was

performed: retransmission, partial transmission, and records how many destinations were indicated. This indicates there is inherently a counting system that keeps track of transmissions in the transmitting system; see pg. 7, par. [0104]. Pg. 7, Par. [0108-0110]; The facsimile server judges which actions to perform based on a predetermined condition that presents different cases or courses of action.). Tanimoto and Shigeru are analogous art because they are from the same field of endeavor of network communication. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Shigeru's IC card or small storage medium with preloaded website information with Tanimoto's server device and network system. The suggestion/motivation would have been to provide an image forming device and an image forming method by which image data obtained through a network can be easily printed (Shigeru; Abstract, problem to be solved).

Regarding claims 11, and 13, Tanimoto-Shigeru-Redford discloses the invention substantially as described in claims 1 and 12 including, **wherein: the communication device includes: a device side detection system that detects if the detecting unit is operated** (Shigeru; Abstract; IC card or memory card is a small storage medium with memory that is read by an IC card reader mounted on the image forming device); Shigeru does not explicitly teach **and a notification system that notifies that the first access data is not received because the predetermined condition is not satisfied when the first access data is not transmitted from the memory of the portable operation member for a predetermined period.**

Tanimoto teaches **a notification system that notifies that the first access data is not received because the predetermined condition is not satisfied when the first access data is not transmitted from the memory of the operation member for a predetermined period** (Fig. 15A and 15B; Tanimoto discloses views showing an example of the display of the browser at the time of thread displaying of the saved image data. The display indicates the number of transmitted pages, the date and time of the transmission, the job order, and the destinations of the transmission. The display also indicated what operation was performed: retransmission, partial transmission, and records how many destinations were indicated. This indicates there is inherently a notification system that keeps track of transmissions in the transmitting system; see pg. 7, par. [0104]. Pg. 7, Par. [0108-0110]; The facsimile server judges which actions to perform based on a predetermined condition that presents different cases or courses of action.). Tanimoto and Shigeru are analogous art because they are from the same field of endeavor of network communication. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Shigeru's IC card or small storage medium with preloaded website information with Tanimoto's server device and network system. The suggestion/motivation would have been to provide an image forming device and an image forming method by which image data obtained through a network can be easily printed (Shigeru; Abstract, problem to be solved).

Regarding claims 4, 7 and 14, Tanimoto-Shigeru-Redford discloses the invention substantially as described in claims 3 and 13 above including, **wherein: the communication device includes: a count inquiry system that transmits a count**

inquiry signal inquiring the number counted by the counting system to the portable operation member (Fig. 15A and 15B; Tanimoto discloses views showing an example of the display of the browser at the time of thread displaying of the saved image data. The display indicates the number of transmitted pages, the date and time of the transmission, the job order, and the destinations of the transmission. The display also indicated what operation was performed: retransmission, partial transmission, and records how many destinations were indicated. This indicates there is inherently a counting system that keeps track of transmissions in the transmitting system; see pg. 7, par. [0104]. Pg. 7, Par. [0108-0110]; The facsimile server judges which actions to perform based on a predetermined condition that presents different cases or courses of action.)**; and a count notifying system that notifies the number counted by the counting system based on a count response signal which is transmitted by the operation member in response to the count inquiry signal transmitted thereto; and the operation member includes a count response system that outputs the count response signal to the communication device in response to the count inquiry signal transmitted from the communication device** (Fig. 15A and 15B; Tanimoto discloses views showing an example of the display of the browser at the time of thread displaying of the saved image data. The display indicates the number of transmitted pages, the date and time of the transmission, the job order, and the destinations of the transmission. The display also indicated what operation was performed: retransmission, partial transmission, and records how many destinations were indicated. This indicates there is inherently a counting system that keeps track of

transmissions in the transmitting system; see pg. 7, par. [0104]. Pg. 7, Par. [0108-0110]; The facsimile server judges which actions to perform based on a predetermined condition that presents different cases or courses of action.).

Regarding claims 5 and 8, Tanimoto-Shigeru-Redford discloses the invention substantially as described in claims 4 and 7 above including, **wherein the count inquiry system transmits the count inquiry signal when the first access data is transmitted from the memory of the portable operation member** (Fig. 15A and 15B; Tanimoto discloses views showing an example of the display of the browser at the time of thread displaying of the saved image data. The display indicates the number of transmitted pages, the date and time of the transmission, the job order, and the destinations of the transmission. The display also indicated what operation was performed: retransmission, partial transmission, and records how many destinations were indicated. This indicates there is inherently a counting system that keeps track of transmissions in the transmitting system; see pg. 7, par. [0104]. Pg. 7, Par. [0108-0110]; The facsimile server judges which actions to perform based on a predetermined condition that presents different cases or courses of action.).

Regarding claims 6 and 9, Tanimoto-Shigeru-Redford discloses the invention substantially as described in claims 4 and 7 above including, **wherein the communication device includes an attachment detection system that detects the insertion of the portable operation member into the opening** (Shigeru; Abstract; IC card or memory card is a small storage medium with memory that is read by an IC card reader mounted on the image forming device)**, the count inquiry system outputting**

the count inquiry signal when the attachment detection system detects the insertion of the portable operation member (Shigeru; IC card read station controller, Detailed Description: embodiment of the invention section, pars. 22-30). Tanimoto and Shigeru are analogous art because they are from the same field of endeavor of network communication. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Shigeru's IC card or small storage medium with preloaded website information with Tanimoto's server device and network system. The suggestion/motivation would have been to provide an image forming device and an image forming method by which image data obtained through a network can be easily printed (Shigeru; Abstract, problem to be solved).

Regarding claims 10 and 16, Tanimoto-Shigeru-Redford discloses the invention substantially as described in claims 2 and 12 above including, **wherein: the memory contains second access data indicating a second web page** (Shigeru; Detailed Description: embodiment of the invention section, par. 60; URL address list means more than one web page can be stored on the IC card, i.e. a second web page is accessible using the operation member)**; and the transmitting system transmits the second access data stored in the memory to the accessing system if the predetermined condition is not satisfied when the operation detecting unit detects the mechanical operation of the portable operation of the portable operation unit by the user** (Shigeru; Detailed Description: embodiment of the invention section, par. 60; URL address list means more than one web page can be stored on the IC card, i.e. a second web page is accessible using the operation member; IC card reader, i.e.

detecting unit; Abstract). Tanimoto and Shigeru are analogous art because they are from the same field of endeavor of network communication. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Shigeru's IC card or small storage medium with preloaded website information with Tanimoto's server device and network system. The suggestion/motivation would have been to provide an image forming device and an image forming method by which image data obtained through a network can be easily printed (Shigeru; Abstract, problem to be solved).

Regarding claim 27, Tanimoto-Shigeru-Redford discloses the invention substantially as described in claim 1 above including, **wherein the memory comprises a ROM, the ROM storing the first access data** (Shigeru; Detailed Description: embodiment of the invention section, pars. 23-24, 26, 29-30, 64). Tanimoto and Shigeru are analogous art because they are from the same field of endeavor of network communication. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Shigeru's IC card or small storage medium with preloaded website information with Tanimoto's server device and network system. The suggestion/motivation would have been to provide an image forming device and an image forming method by which image data obtained through a network can be easily printed (Shigeru; Abstract, problem to be solved).

Regarding claim 28, Tanimoto-Shigeru-Redford discloses the invention substantially as described in claim 13 above including, **wherein the memory comprises a ROM and a RAM, the ROM storing the first access data and the RAM**

storing the transmission number (Shigeru; Detailed Description: embodiment of the invention section, pars. 23-24, 26, 29-30, 64, 67). Tanimoto and Shigeru are analogous art because they are from the same field of endeavor of network communication. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Shigeru's IC card or small storage medium with preloaded website information with Tanimoto's server device and network system. The suggestion/motivation would have been to provide an image forming device and an image forming method by which image data obtained through a network can be easily printed (Shigeru; Abstract, problem to be solved).

Regarding claims 30-33, Tanimoto-Shigeru-Redford discloses the invention substantially as described in claims 1, 17, 26 and 29 above including, **wherein the mechanical operation of the portable operation member includes a depression of the portable operation member by the user** (Shigeru; Abstract; IC Card and IC card reader mounted on the image forming device connected to a touch panel keyboard suggests a "key" being depressed that is associated with the IC Card, i.e. portable operation member, IC card reader, i.e. detecting unit, and a touch panel keyboard, i.e. depression of the portable operation member).

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: US 2001/0018737 to Redford et al; US 2002/0054279 to Hoshino et al; US 2002/0075524 to Blair et al; US 2003/0007188 to Hoshino et al; US 2003/0020945 to Lopez et al; US 2003/0038971 to Renda.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TARIQ S. NAJEE-ULLAH whose telephone number is (571)270-5013. The examiner can normally be reached on Monday through Thursday 8:00 - 6:30 EST.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (571) 272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. S. N./
Examiner, Art Unit 2453
March 25, 2010

/Liangche A. Wang/
Primary Examiner, Art Unit 2453